THE MYSORE LEGISLATIVE ASSEMBLY

TWENTYFIRST DAY

Tuesday, 28th March, 1961.

The House met in the Assembly Hall, Vidhana Soudha, Bangalore, at One of the Clock.

Mr. Chairman (Sri MOHMED ALI, B.A., LL.B.) in the Chair.

STARRED QUESTIONS

(to which oral answers were given)

ARREST OF A BUSINESSMAN AND HIS SERVANTS IN HUBLI BY THE POLICE.

*Q.—221. Sri J. B. MALLARADHYA (Nanjangud).—

Will the Government be pleased to state:—

(*a*) whether the Police arrested a businessman and his servants in Hubli recently and took them from the place of their business to the Police Station after hand-cuffing them and parading them in the street.

(*b*) whether the business community and other residents of Hubli staged a Hartal as a protest against this action of this Police;

(*c*) whether the Government will direct a judicial enquiry into the conduct of the concerned Police officers and take necessary action against them?

A.—Sri H. M. CHANNABASAPPA (Minister for Home).—

(*a*) The Police arrested a businessman and eight other persons on 11th January 1961 and marched them off to the Hubli Town Police Station after hand-cuffing them.

(*b*) Yes

(*c*) Government have already ordered an enquiry by the Divisional Commissioner, Belgaum. Government will take necessary action after receipt of his report.

Sri J. B. MALLARADHYA.—Where was the necessity to hand-cuff these people; is that the usual way?

† Sri H. M. CHANNABASAPPA.—I would like to submit that it would not be desirable to disclose the details about this case since the case is pending before the court of law.

---

† Indicates that the remarks or Speeches have not been revised by the member concerned.

Sri J. B. MALLARADHYA.—What was the offence for which they were arrested ?

Sri H. M. CHANNABASAPPA.—The offences are said to be obstructing the Government officers in the discharge of their duties.

Sri J. B. MALLARADHYA.—Was that one of the offences for which the accused were hand-cuffed ?

Sri H. M. CHANNABASAPPA.—Whether they were handcuffed or not are all matters of detail which cannot be disclosed at this moment ; neither it is in the interests of the case nor in the interests of the public good to disclose all those details which are matters of *sub-judice.*

Sri J. B. MALLARADHYA.—The answer given is they were marched to the Police Station after being hand-cuffed. The Minister himself has stated that they were hand-cuffed. May I know whether having regard to the offence complained of against them, it was necessary or desirable to have them marched off, hand-cuffed in the streets ?

Sri H. M. CHANNABASAPPA.—Whether it was desirable or not, whether it was necessary or not are all matters which have got to be examined and therefore I do not think it would be desirable to answer those details at the present moment.

Sri J. B. MALLARADHYA.—I first asked what was the complaint against them and I next asked if the complaint necessitated their being hand-cuffed.

Sri H. M. CHANNABASAPPA.—Whether there was any necessity or not are all matters of detail which I would not like to disclose.

Sri C. J. MUCKANNAPPA —What was the occasion for the Police to arrest these businessmen of Hubli ?

Sri H. M. CHANNABASAPPA.—I have already said that those people who were arrested came in the way of discharge of duties.

Sri C. J. MUCKANNAPPA.—What was the occasion, were they obstructing the Police arresting a person who was involved in a crime ?

Sri H. M. CHANNABASAPPA.—The Honourable Member as the Honourable Member of the Legislature knew when in the discharge of Governmental duty the officers are obstructed, that would be an offence.

Sri C. J. MUCKANNAPPA.—What was the occasion ; why these businessmen were arrested and paraded in the streets after being hand-cuffed ?

Sri H. M. CHANNABASAPPA.—Firstly, the Honourable Member seems to draw his own inference that they were paraded, taken in procession, etc. I want to submit that it is not desirable to put in so many things in his mouth and ask me to reply. I hope the Honourable Member will be satisfied with this that these people are

said to have come in the way of the discharge of their duties as Policemen and therefore they were arrested and taken into custody.

Sri J. B. MALLARADHYA.—What is the business with which the Police people went to their premises, what was the provocation?

Sri H. M. CHANNABASAPPA —According to the information available, the Police received information that a theft has taken place and a thief has been unlawfully in the custody of Kevalchand and others. Therefore, these Policemen arrested Kevalchand in order to find out the facts.

Sri J. B. MALLARADHYA.—Theft of what?

Sri H. M. CHANNABASAPPA.—Certain copper vessels and certain cloths.

ಶ್ರೀ ಇ. ನಾರಾಯಣಗೌಡ.—ಈ ಸಂದರ್ಭದಲ್ಲಿ ಎಷ್ಟು ಜನ ಪೋಲೀಸರನ್ನು ನಸ್ಪೆಂಡ್ ಮಾಡಿದ್ದೀರಿ ?

ಶ್ರೀ ಎಚ್. ಎಂ. ಚನ್ನಬಸಪ್ಪ.—ಒಬ್ಬ ಸಬ್ ಇನ್‌ಸ್ಪೆಕ್ಟರ್, ಮತ್ತು ಏಳು ಜನ ಕಾನ್‌ಸ್ಟೇಬರ್‌ಗಳನ್ನು ನಸ್ಪೆಂಡ್ ಮಾಡಿದೆ.

Sri J. B. MALLARADHYA.—Is there a case filed in the Magistrate's Court?

Sri H. M. CHANNABASAPPA.—Yes.

Sri J. B. MALLARADHYA.—Then where is the point in the Divisional Commissioner making an enquiry in the case when this became the subject-matter of complaint before a judicial court?

Sri H. M. CHANNABASAPPA.—The subject-matter before the court of law is different from the subject-matter on which we want our officers to go into the matter and find out the facts of the case and report to the Government.

Sri J. B. MALLARADHYA.—What were the terms of reference to the Divisional Commissioner?

Sri H. M. CHANNABASAPPA.—They are published in the Government Order. The attention of the Honourable Member is invited to that.

Sri J. B. MALLARADHYA.—Will the Government Order be placed on the Table of the House?

Sri H. M. CHANNABASAPPA.—They are all public documents. The Honourable Member may look into it.

Sri J. B. MALLARADHYA.—The Honourable Minister is in duty bound to keep a copy of the Government Order on the Table of the House. There are hundred and odd Government Orders and the Honourable Members are not expected to look into all of them.

Sri H. M. CHANNABASAPPA.—I would like to submit that the Honourable Member who is a veteran member should have known that orders which are available as public documents are not matters on which questions can be raised on the floor of the House.